

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES H. FISCHER,

Plaintiff,

– against –

STEPHEN T. FORREST,

Defendant.

Docket No. 14 CV 1307
(Engelmayer, J.)

**NOTICE OF CROSS-MOTION
TO VACATE ENTRY OF
DEFAULT PURSUANT TO
RULE 55(c) OF THE FEDERAL
RULES OF CIVIL PROCEDURE**

PLEASE TAKE NOTICE, that upon the pleadings and proceedings heretofore had herein; upon the Affirmation of Daniel K. Cahn dated April 25, 2014 and the exhibits annexed thereto, and the accompanying Memorandum of Law, a cross-motion will be made before Hon. Paul Engelmayer, at a date and time to be determined by the Court, pursuant to Rule 55(c) of the Federal Rules of Civil Procedure, vacating the Clerk's entry of default of the Defendant in this action dated March 31, 2014 for good cause; and for such other, further, and/or different relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the prior Order of this Court (Engelmayer, J.) dated April 18, 2014 (Document No. 13 on the Court's Docket), your reply papers, if any, must be served upon the undersigned on or before May 2, 2014.

Dated: April 25, 2014
Huntington, New York

LAW OFFICES OF CAHN & CAHN, P.C.
Attorneys for Defendant

By: /s/ Daniel K. Cahn
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